

**INDEX OF A REGULAR MEETING  
FORT LAUDERDALE CITY COMMISSION  
JUNE 21, 2005**

**Agenda Reso./Ord.  
Item No.**

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**MINUTES OF A REGULAR MEETING  
CITY COMMISSION  
FORT LAUDERDALE, FLORIDA  
JUNE 21, 2005**

Meeting was called to order at 6:00 p.m. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Vice Mayor Christine Teel  
Commissioner Dean J. Trantalis  
Commissioner Carlton B. Moore  
Commissioner Cindi Hutchinson  
Mayor Jim Naugle

Absent: None

Also Present: City Manager                      George Gretsas  
City Attorney                      Harry A. Stewart  
City Clerk                      Jonda K. Joseph  
Sergeant At Arms                      Sergeant Larry Miller

Invocation was offered by Assistant Pastor Fidel Gomez, Calvary Chapel of Fort Lauderdale, followed by the recitation of the Pledge of Allegiance.

**NOTE:** All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

**Motion** made by Commissioner Hutchinson and seconded by Vice Mayor Teel that the minutes of the June 7, 2005 Conference and Regular Meetings, and agenda be approved. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

**Presentations**

**OB**

1. Community Appearance Board – WOW Award

Commissioner Moore, Mayor Naugle, and City Commission recognized Mr. John Dowels of 448 NW 15<sup>th</sup> Way in Dorsey-Riverbend with the May WOW Award. He said this was an area where individuals used to dump trash and debris, and now a beautiful home exists at the site. Mr. Dowels has painted the exterior of the home in two shades of blue, and he reduced the unsightly appearance of awnings or hurricane shutters with the installation of impact resistant glass which also provides privacy.

2. Community Appearance Board – WOW Award

Commissioner Hutchinson, Mayor Naugle, and the City Commission recognized Ms. Maria Lara of 1360 SW 32<sup>nd</sup> Street in Edgewood with the June WOW Award. Ms. Lara and her family moved into Edgewood years ago and have been working diligently ever since to improve the landscaping and exterior features of their home to add to the beauty of their neighborhood. The Lara family takes great pride in their home and they are an inspiration to the surrounding neighborhood. Patrick Lara accepted the award on the family's behalf.

3. Recognition of WaterWorks 2011 Poster Contest Winner

Commissioner Moore said that the WaterWorks 2011 Program Management Team, led by CH2M Hill, expanded their partnership with Stranahan High School to include WaterWorks 2011 public outreach sub-consultant, Dickey Consulting Services. One of the new partnerships involved the Urban Teachers Academy. During the past school year WaterWorks 2011 Program offered an opportunity for students to gain real world experience and to learn about the diversity of careers in a program such as WaterWorks 2011.

Commissioner Moore said this partnership provided Stranahan Urban Teachers Academy students with a venue to teach elementary students about the importance of clean water and the impact of sanitary sewer systems on the environment. The students organized a poster contest focused on WaterWorks 2011 in four area schools.

Commissioner Moore further said that Laila Haddad, Public Relations Manager for WaterWorks 2011 and Sade Diaz, Project Coordinator for Dickey Consulting Services, Inc. are present this evening, together with the Stranahan Urban Teachers Academy students to recognize the winning student from this year's poster competition.

Commissioner Moore, Mayor Naugle, and the City Commission recognized Naromi Aristil, 5<sup>th</sup> grade student from Stephen Foster Elementary School, and WaterWorks 2011 Poster Contest winner. Laila Hadad of Dickey Consulting Services, Program Outreach Manager for WaterWorks 2011, is presenting the award to the principal of Stranahan High School, Ms. Owens, and the teacher in charge of the project Brian Dazler, since Ms. Aristil could not be present this evening.

4. Paul Urschalitz Community Policing Award

Mayor Naugle said that a previous police officer, Paul Urschalitz, was driven in promoting community policing, and therefore, after he left the department an award was named after him.

Vice Mayor Teel said that Pat Mayers would participate in naming the recipient of the award.

Pat Mayers said the Citizens Crime Alert of Fort Lauderdale, Inc. is recognizing an outstanding officer for policing with the Paul Urschalitz Award. She said that retired Officer Paul Urschalitz is present this evening. She said he was the driving force that began the community policing program many years ago. She further said that he researched other municipalities and prepared the community and police department to work together and become a crime problem solving community. She said that currently Officer Urschalitz lived in Thailand.

Vice Mayor Teel, Mayor Naugle and the City Commission recognized Officer Scott Russell as recipient of the Paul Urschaltz Community Policing Award for 2004.

Awards were presented by Paul Urschaltz and Chief Bruce Roberts.

Officer Russell thanked everyone for the award and said that credit has to be given to the community they serve because without them things could not be accomplished.

5. Expression of Sympathy

Commissioner Hutchinson, Mayor Naugle and the City Commission extended an Expression of Sympathy to the family of Ann B. Keith.

**Consent Agenda**

**(CA)**

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

**Broward Center for the Performing Arts  
Fiscal Responsibilities**

**(M-1)**

A motion authorizing and approving execution by the proper City Officials of a tripartite agreement with the Performing Arts Center Authority (PACA) and Broward County concerning fiscal responsibilities for October 1, 2005 through September 30, 2006.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0648

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**Communications Equipment at Police Headquarters -  
Tri-Rail License Agreement Renewal – Florida Department  
Of Transportation**

**(M-2)**

A motion authorizing and approving renewal of a License Agreement with Florida Department of Transportation and CSX Transportation, Inc. to install communications equipment at Police Headquarters relating to Tri-Rail Advanced Train Control System – Revenue – ITS020101-N354.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0635

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**Agreement – North Broward Hospital District  
Fitness/Wellness/Healing Arts Classes****(M-3)**

A motion authorizing the proper City Officials to execute an agreement with the North Broward Hospital District from July 1, 2005 through June 30, 2006 to conduct Fitness and Wellness Classes at the Beach Community Center.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0612

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**Pedestrian Overpass – Gill Hotels and A1A Trader, L.L.C.  
Assignment & Assumption of Agreement – Sheraton Yankee  
Trader Beach Resort****(M-4)**

A motion authorizing the proper City Officials to execute a Consent to the Assignment and Assumption of the Pedestrian Overpass Agreement between Gill Hotels, as Assignor and A1A Trader, L.L. C., a Delaware limited liability company, as Assignee – Sheraton Yankee Trader Beach Resort at 303 North Atlantic Boulevard.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0649

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**Ranking and Negotiations – Aesthetic Improvements to the  
City Park Garage Project****(M-5)**

A motion approving the proposed ranking and commencement of negotiations with the top-ranked firm, Timothy HAAHS & Associates, Inc. for aesthetic improvements to the City Park Garage Project, Phase III – Project 10709.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0650

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**Ranking and Negotiations – Walker Parking Consultants/  
Engineers, Inc. – Parking Related Consultant Services****(M-6)**

A motion authorizing the proper City Officials to approve the proposed ranking and commencement of negotiations with the top-ranked firm, Walker Parking Consultants/Engineers, Inc., for parking related consultant services.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0652

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**Joint Project Agreement – Broward County Flood  
Mitigation of Broward Boulevard****(M-7)**

A motion authorizing the proper City Officials to execute a Joint Project Agreement with Broward County for flood mitigation of Broward Boulevard via drainage improvements to SE 1 Street, from SE 15 Avenue to SE 16 Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0640

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**Amended & Restated Agreement – Broward County &  
Republic Industries, Inc. – Solid Waste Collection Services –  
Rock Island & Twin Lakes North****(M-8)**

A motion authorizing the proper City Officials to execute an amendment to the Broward County Amended and Restated Agreement for furnishing Solid Waste Collection Services between Republic Services of Florida, Limited Partnership d/b/a All Service Refuse and the City for Rock Island and Twin Lakes North.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0600

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**Contract Extension – Environmental & Analytical  
Management, Inc. – Annual Mobile Laboratory Services - \$49,950****(M-9)**

A motion authorizing the proper City Officials to execute a one-year contract extension with Environmental & Analytical Management, Inc., for annual Mobile Laboratory Services in the amount of \$49,950 – Project 10629-A.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0584

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**Contract Award – Molloy Bros. Inc. - \$991,613  
2005-2006 Sanitary & Storm Sewer Repairs****(M-10)**

A motion authorizing the proper City Officials to award and execute a contract with Molloy Bros. Inc., in the amount of \$991,613 for Annual Contract 2005/2006 Sanitary & Storm Sewer Repairs – Project 10948 – Water and Wastewater Capital Improvement Plan.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0625

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**Contract Award – MGI-Morgan General Mechanical Group, Inc. - \$2,978,010 – Poinciana Park Water Storage Tank and Pump Station****(M-11)**

A motion authorizing the proper City Officials to waive the bid irregularity and award and execute a contract with MGI-Morgan General Mechanical Group, Inc. in the amount of \$2,978,010 for the Construction of Project 10417A – Poinciana Park Water Storage Tank and Pump Station – Water and Wastewater Capital Improvements Plan.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0655

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**Summer Youth Employment Program - Supplement Transfer and Expenditure - \$100,000****(M-12)**

A motion to approve transfer and expenditure of \$100,000 to Broward Workforce Development Board, Inc. dba Workforce One Summer Youth Employment Program (SYEP) and allow more Fort Lauderdale youth to participate – GEN010101 (Other General Government/Subobject 4210 Social Contributions).

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0669

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**Work Authorization 16724.C8 – Keith and Schnars, P.A. - \$166,245 – Twin lakes Sanitary Sewer Improvements****(M-13)**

A motion authorizing the proper City Officials to execute Work Authorization 16724.C8 with Keith and Schnars, P.A., in the amount of \$166,245 for the provision of consulting engineering services associates with surveying for the Twin Lakes Sanitary Sewer Improvements Project (Sewer Area 16) – Water and Wastewater Capital Improvements Plan.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0633

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**Revocable License Agreement – Richard Dietz Alley Behind 1026 NW 4 Avenue****(M-14)**

A motion authorizing the proper City Officials to execute a revocable license agreement with Richard Dietz to fence a portion of an unpaved alley located behind 1026 NW 4 Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0653

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**Fiscal Year 2004-2005 Budget Amendment 3****(M-15)**

A motion approving revisions to the Fiscal Year 2004-2005 adopted budget.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0657

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**Event Agreement – Las Olas Art Fairs****(M-16)**

A motion authorizing and approving execution of an Event Agreement with Las Olas Association, Inc. for the 18<sup>th</sup> Annual Las Olas Art Fairs to be held: September 3-4, 2005, January 7-8, 2006, and March 4-5, 2006, 10 AM – 6 PM.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0627

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**Event Agreement – Broward Carnival Beach Bash****(M-17)**

A motion authorizing and approving execution of an Event Agreement with Broward Carnival, Inc. for Broward Carnival Beach Bash to be held Monday, October 10, 2005, 2 PM – 10 PM at Fort Lauderdale's South Beach.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0628

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**Event Agreement – Fort Lauderdale International Boat Show****(M-18)**

A motion authorizing and approving execution of an Event Agreement with Yachting Promotions, Inc. for the 46<sup>th</sup> Annual Fort Lauderdale International Boat Show to be held Thursday, October 27 through Monday, October 31, 2005 at several Fort Lauderdale waterfront locations; and authorizing the closing of SE 5 Street between northbound and southbound A1A.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0629

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**Event Agreement – Beach Blast Beach Soccer Tournament****(M-19)**

A motion authorizing and approving execution of an Event Agreement with Ajax Orlando Youth Development, Inc. for Sand Blast Beach Soccer Tournament to be held Saturday,

August 13, 2005, 8AM – 7 PM and Sunday, August 14, 2005, 8 AM – 3 PM at Fort Lauderdale's South Beach.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0631

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**Task Order 24 – CH2M Hill, Inc. - \$60,485**

**(M-20)**

**GIS Data Maintenance Application**

A motion authorizing the proper City Officials to execute Task Order 24 with CH2M Hill, Inc., in the amount of \$60,485, Water and Wastewater Master Plan Capital Improvements Program Management Services – GIS Data Maintenance Application for Capital Improvement Projects Locator – Project 10664.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0523

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<b>PURCHASING AGENDA</b>
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**452-9182 – Purchase and Installation of  
Air Conditioning Air Handler Units**

**(PUR-1)**

Purchase and installation of 4 new chilled water air handlers is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** McConnell Air Conditioning, Inc.  
Miramar, FL

**Amount:** \$47,750.00

**Bids Solicited/Rec'd:** 96/4

**Exhibit:** Commission Agenda Report 05-0610

The Procurement Services Department recommends awarding to the low responsive and responsible bidder.

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**452-9213 – Lime Sludge Disposal Services**

**(PUR-2)**

Two-year contract for lime sludge disposal for the Peele Dixie Water Treatment Plant is being presented for approval by the Public Works Department.

**Recommend:** Motion to approve.

**Vendor:** DRD Enterprises, Inc. of Davie

Plantation, FL  
Amount: \$33,750.00  
Bids Solicited/Rec'd: 153/2  
Exhibit: Commission Agenda Report 05-0626

The Procurement Services Department recommends awarding to the low responsive and responsible bidder.

---

**752-9146 One-Year Contract for Motorized Watercraft Concession**

**(PUR-3)**

A one-year contract for Motorized Watercraft Concessions is being presented for approval by the Business Enterprises Department.

Recommend: Motion to approve.

Vendor: Aloha Enterprises, Inc.  
Fort Lauderdale, FL  
Amount: \$50,160.00 (annual revenue)  
Bids Solicited/Rec'd: 18/3  
Exhibit: Commission Agenda Report 05-0517

The Procurement Services Department has reviewed this item and recommends awarding to the first ranked proposer.

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**Three-Year Software Support Renewal**

**(PUR-4)**

A three-year software support renewal for the RiskMaster Computer Application used by the Risk Management Division is being presented for approval by the Information Technology Department.

Recommend: Motion to approve.

Vendor: Computer Sciences Corporation  
El Segundo, CA  
Amount: \$44,034.00  
Bids Solicited/Rec'd: N/A  
Exhibit: Commission Agenda Report 05-0619

The Procurement Services Department has reviewed this item and recommends approving the proprietary purchase.

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**Upgrade Disk Storage System**

**(PUR-5)**

An agreement to replace two disk storage systems is being presented for approval by the Information Technology Department.

Recommend: Motion to approve.

Vendor: Accris Corporation  
Boca Raton, FL  
Amount: \$114,443.00 (Estimated-not to exceed)  
Bids Solicited/Rec'd: N/A  
Exhibit: Commission Agenda Report 05-0623

The Procurement Services Department recommends approving the purchase from the Florida State Contract.

---

**Purchase of Motorola Radios**

**(PUR-6)**

An agreement to discontinue purchasing new radio units from EF Johnson and to purchase Motorola radios is being presented for approval by the Information Technology Department.

Recommend: Motion to approve.

Vendor: Motorola Communications & Electronics, Inc.  
Schaumburg, IL  
Amount: \$50,000.00 (estimated)  
Bids Solicited/Rec'd: N/A  
Exhibit: Commission Agenda Report 05-0624

The Procurement Services Department reviewed and recommends change to annual radio purchase plan.

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**542-9075 – Increase Contract Expenditure to  
Update Audio & Recording Systems**

**(PUR-7)**

Authority to increase contract expenditure to update audio and recording systems in the Commission Chambers and 8<sup>th</sup> floor conference room is being presented for approval by the City Clerk's Office.

Recommend: Motion to approve.

Vendor: Business Information Systems  
Fort Lauderdale, FL  
Amount: \$41,072.00 (not to exceed)  
Bids Solicited/Rec'd: 125/2  
Exhibit: Commission Agenda Report 05-0618

The Procurement Services Department recommends approving an increase in contract expenditure.

---

**Proprietary – 2004 Edition Florida Building Code Books**

**(PUR-8)**

An agreement to purchase 60, 2004 editions of Florida Building Code books from the Broward County Board of Rules and Appeals is being requested for approval by the Building Department.

Recommend: Motion to approve.

Vendor: Broward County Board of Rules & Appeals  
Fort Lauderdale, FL

Amount: \$11,578.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0617

The Procurement Services Department reviewed this item and recommends approving the proprietary purchase.

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The following items were removed from the Consent Agenda as recommended:

**Motion** made by Commissioner Trantalis and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-6 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Ranking and Negotiations – Walker Parking Consultants/  
Engineers, Inc. – Parking Related Consultant Services**

**(M-6)**

Commissioner Moore pulled this item was the Consent Agenda and asked that someone offer the item for consideration.

**Motion** made by Commissioner Hutchinson and seconded by Vice Mayor Teel to approve the item as presented. Roll call showed: YEAS: Commissioners Trantalis and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: Commissioner Moore.

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**Amended & Restated Agreement – Broward County & Republic  
Industries, Inc. – Solid Waste Collection Services – Rock Island  
& Twin Lakes North**

**(M-8)**

Mayor Naugle said that this item has been deleted from tonight's agenda.

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<b>RESOLUTIONS</b>
--------------------

**Rescheduling July 5, 2005 City Commission  
Meetings to July 6, 2005**

**(R-1)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-103

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULING THE JULY 5, 2005, REGULAR MEETING OF THE CITY COMMISSION TO JULY 6, 2005.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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<b>PUBLIC HEARINGS</b>
------------------------

**Motorized Watercraft Concession on Public Beach**  
**Aloha Enterprises, Inc.**

**(PH-1)**

**A public hearing to adopt a resolution granting a waiver to Aloha Enterprises, Inc. to operate a motorized watercraft concession on the public beach, subject to terms and conditions contained in Section 8-174 of the Code of Ordinances.**

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 05-101

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO CITY CODE SECTION 8-174 GRANTING A WAIVER TO THE CITY OF FORT LAUDERDALE AND ALOHA ENTERPRISES, INC. A FLORIDA CORPORATION TO OPERATE A MOTORIZED WATERCRAFT CONCESSION ON THE PUBLIC BEACH AS DEFINED IN CITY CODE SECTIONS 8-52 AND 8-71 UPON CERTAIN TERMS AND CONDITIONS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel and Mayor Naugle. NAYS: None.

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**Historic Designation – Goulding/Dallas House**  
**620 NE 3 Street - 7-H-05**

**(PH-2)**

**A public hearing to adopt a resolution granting historic designation for landmark status of the Goulding/Dallas House located at 620 NE 3 Street.**

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel and Mayor Naugle. NAYS: None.

Commissioner Trantalis urged everyone to visit this house; it is a wonderful asset to the community.

Commissioner Moore introduced the following resolution:

**RESOLUTION NO. 05-102**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING THE BUILDING AND PROPERTY LOCATED AT 620 N.E. 3<sup>RD</sup> STREET, FORT LAUDERDALE, AS A HISTORIC LANDMARK PURSUANT TO SECTION 47-24.11 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel and Mayor Naugle. NAYS: None.

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<b>ORDINANCES</b>
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**Maintenance of Walls and Fences**

**(O-1)**

Commissioner Moore introduced the following ordinance on 2<sup>nd</sup> reading:

**ORDINANCE NO. C-05-10**

AN ORDINANCE AMENDING CHAPTER 47, UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-19.5., FENCES, WALLS AND HEDGES, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Which ordinance was read by title only.

Commissioner Moore asked how this ordinance would relate to a hedge in a swale.

The City Attorney said this ordinance would not impact where a hedge is located, but if it is well-maintained.

John Simmons, Acting Director Community Inspections, said this ordinance allows people to maintain hedges and walls, and the language states they are to be of a like kind.



Commissioner Moore felt the City tends to ignore rules of law in some cases. In some areas of the City hedges are adjacent to the roadway that block the view. For example one area may have a rock in the swale and is cited for a violation, yet in another neighborhood there is an eight foot tall hedge, beautifully manicured, and nothing is done. If there is going to be a law, it should be enforced. If it is a case of not citing violations that are beautiful, this should be spelled out in the ordinance.

Mayor Naugle said that if changes are wanted in the ordinance, then they could be discussed at a conference meeting.

Commissioner Moore wanted the public to have a sense of fair play. This is not being done because certain areas of the City are ignored. He is talking about a separation of the wealthy doing whatever they want, and everyone else having to obey the rules. He asked for this matter to be discussed at a conference meeting.

Commissioner Hutchinson wanted to move forward.

Mayor Naugle said this item would be scheduled for discussion at the first City Commission Conference Meeting in July.

Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Accessory Buildings, Uses and Structures****(O-2)**

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-05-12

AN ORDINANCE AMENDING CHAPTER 47, UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE III DEVELOPMENT REQUIREMENTS, SECTION 47-19, ACCESSORY BUILDINGS, USES, AND STRUCTURES, SECTION 47-19.2, ACCESSORY BUILDINGS AND STRUCTURES, GENERAL, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Vacant Dwellings or Buildings – Certificate Required for Securing Building****(O-3)**

Commissioner Moore introduced the following ordinance on second reading:

## ORDINANCE NO. C-05-11

AN ORDINANCE AMENDING CHAPTER 9, BUILDINGS AND CONSTRUCTION, ARTICLE VIII, VACANT DWELLINGS OR BUILDINGS, SECTION 9-329, CERTIFICATE REQUIRED FOR SECURING BUILDING, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel and Mayor Naugle. NAYS: None.

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**Amendment to the Pay Plan****(O-4)**

Commissioner Moore introduced the following ordinance on second reading:

## ORDINANCE NO. C-05-13

AN ORDINANCE AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR THE ADDITION OF CLASSES, THE TITLE CHANGE OF ONE CLASS, THE PAY RANGE AND MANAGEMENT CATEGORY ADJUSTMENT OF CLASSES, AND THE DELETION OF ONE CLASS, ALL IN SCHEDULE I.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Temporary Closure of Streets, Alleys and Sidewalks****(O-5)**

Commissioner Moore introduced the following ordinance on second reading:

## ORDINANCE NO. C-05-14

AN ORDINANCE AMENDING CODE SECTION 25.7 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA TO PERMIT THE CLOSURE OF STREETS, ALLEYS AND SIDEWALKS UNDER THE JURISDICTION OF THE CITY TO BE CLOSED BY ORDER OF THE CITY MANAGER FOR PERIOD OF TIME NOT TO EXCEED SEVENTY-TWO HOURS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Broward County School Board Representative to  
Serve on City's Local Planning Agency – 2-T-04****(O-6)**

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-05-15

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-31, LOCAL PLANNING AGENCY, TO INCLUDE A REPRESENTATIVE OF THE SCHOOL BOARD OF BROWARD COUNTY ON THE LOCAL PLANNING AGENCY TO CONSIDER CERTAIN MATTERS AS REQUIRED BY SECTION 163.3174, FLORIDA STATUTES.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Trantalis and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: Commissioner Moore.

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**Police & Firefighters Retirement System – Cost of Living Adjustment (COLA) – One-Year Extension (O-7)**

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-05-16

AN ORDINANCE AMENDING CHAPTER 20, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESPECTING THE POLICE AND FIREFIGHTERS' RETIREMENT SYSTEM BY READOPTED SECTION 29-129(f) OF THE RETIREMENT SYSTEM EXTENDING COST OF LIVING ADJUSTMENT FORMULA AND PROVIDING FOR A REPEAL DATE OF JULY 15, 2006, UNLESS READOPTED BY THE CITY COMMISSION TO JULY 15, 2006.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, and Vice Mayor Teel. NAYS: Mayor Naugle.

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**Rezoning, Site Plan Approval & Allocation of Residential Flex Units – Park View Lofts Mixed-Use Development – 3-ZR-04 (O-8)**

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to defer this matter until July 6, 2005, at 6:00 p.m. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None. (Deferral requested by Staff)

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<b>RESOLUTIONS</b>
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**Bank Signature Authority**

**(R-2)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 4.01(c) OF THE CITY CHARTER, AUTHORIZING SPECIFIC CITY EMPLOYEES TO SIGN CHECKS FOR THE PAYMENT OF MONEY ON BEHALF OF THE CITY AND FURTHER PRESCRIBING THAT ALL SUCH EMPLOYEES SHALL BE UNDER FIDELITY BOND IN THE AMOUNT OF \$500,000.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Water & Wastewater Master Plan, Capital Improvements  
Plan, Program Delivery Plan Update – Sewer Area 7,  
North of SE 16 Street**

**(R-3)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-105

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING A SECOND AMENDMENT TO THE CITY OF FORT LAUDERDALE WATER AND WASTEWATER MASTER PLAN AND THE PROGRAM DELIVERY PLAN FOR THE WATERWORKS 2011 PROGRAM TO INCLUDE THE CROISSANT PARK AREA INTO THE PLAN AND PROVIDE FOR IMPLEMENTATION OF THE PROGRAM WITHIN THE AREA AND AUTHORIZING IMPLEMENTATION OF THE PLANNING RECOMMENDATIONS PROVIDED IN BOTH AMENDMENTS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Roadway Improvements – Davie Boulevard  
Joint Participation Agreement – Florida  
Department of Transportation**

**(R-4)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-106

A RESOLUTION OF THE CITY COMMISSION OF THE CITY

OF FORT LAUDERDALE, FLORIDA, REPEALING RESOLUTION NO. 04-11, AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR ROADWAY CONSTRUCTION, OF SR 736/DAVIE BOULEVARD FROM BRIDGE OVER NEW RIVER TO SR-5/US-1 AS PART OF THE PLANNED IMPROVEMENT TO THE UNDERGROUND UTILITIES ALONG DAVIE BOULEVARD FROM I-95 TO SR-5/US-1 IN CONNECTION WITH FINANCIAL MANAGEMENT PROJECT NUMBER 228180-1-58-01.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Agreements – Synchronization – Railroad Crossing & Highway Control Devices – NW 2 Street and NW 4 Street**

**(R-5)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-107

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE TWO RAILROAD REIMBURSEMENT AGREEMENTS WITH FLORIDA EAST COAST RAILWAY, L.L.C. AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION OF GRADE CROSSING TRAFFIC CONTROL DEVICES ON NW 2<sup>ND</sup> STREET, AND NW 4<sup>TH</sup> STREET AND FUTURE MAINTENANCE AND ADJUSTMENT OF SAID DEVICES; PROVIDING FOR THE EXPENDITURE OF FUNDS; AND PROVIDING WHEN THIS RESOLUTION SHALL TAKE EFFECT. (FINANCIAL PROJECT NOS. 418363-1-57-01 AND 418364-1-57-01).

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Site Plan Level II Review – The Commons at Flagler Village - Mixed Use Allocation of Post 2003 Dwelling Units - Downtown RAC-CC – 22-R-05**

**(R-6)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-108

A RESOLUTION OF THE CITY COMMISSION OF THE CITY

OF FORT LAUDERDALE, FLORIDA, APPROVING A  
DEVELOPMENT PLAN INCLUDING ALLOCATION OF POST  
2003 DWELLING UNITS TO DEVELOP A PROJECT CONSISTING  
OF MULTI-FAMILY RESIDENTIAL UNITS, RETAIL AND PARKING  
STRUCTURE LOCATED AT 501 N.E. 5<sup>TH</sup> STREET, FORT  
LAUDERDALE, FLORIDA IN A RAC-CC ZONING DISTRICT.

Which resolution was read by title only.

Mayor Naugle said that he has questions regarding Item Nos. R-6, R-7 and R-8.

**ALL INDIVIDUALS WISHING TO SPEAK ON THIS MATTER WERE SWORN IN.**

Mayor Naugle said that last July discussion was held regarding adding units to the downtown, along with a discussion about a need for a new parks impact fee study. He said there is a standard fee applied, and when units are added, more park land is to be added also. The figure used is a low one. Recently land was purchased at \$75 per square foot. The study is in progress, but he was hoping the applicants would agree to a figure based on the current purchase price of park land. There is also a concern about affordable housing. If there is a higher impact fee on all units, it will affect the affordability aspect, and therefore, possibly a certain percentage of units could be exempt from paying the higher price. He asked if it is possible for an applicant to pay such a figure even though the impact fee study is still in progress.

The City Attorney said as long as they are a willing party.

Commissioner Moore asked if park land is only passive open space, or with amenities included. Mayor Naugle said it would be public parks in the area, not including recreational space already included in developments. It is up to the City to provide active and passive areas. Commissioner Moore concluded that the Mayor is speaking about the "full basket", not just open green space.

Commissioner Trantalis felt this is a good concept. He asked if there is a figure in mind as to how to assess a prospective developer.

Mayor Naugle said the figure used for the appraisal and purchase of land at 6<sup>th</sup> Street and NE 3<sup>rd</sup> Avenue was \$75 per square foot.

Commissioner Moore asked if the Applicant would be willing to contribute \$250,000.

Robert Lochrie, representing the Applicant, said the developer of this project is committed to this park and would be contributing above and beyond to what is legally required. The Applicant is willing to agree to pay whatever the figure required by the City in an ordinance. He is willing to contribute \$250,000 for the park.

Commissioner Trantalis said that a standard needs to be set that can be applied consistently.

Mr. Lochrie said the applicant is willing to contribute \$250,000 to the park space.

In response to Mayor Naugle, Mr. Lochrie said it is approximately \$1,000 per unit. The County's impact fee is \$284 per unit. Mayor Naugle said the present fee is \$750 per unit for the City. Pursuant to the Comprehensive Plan, for every 1,000 residents, there is to be 3 acres of park land. At \$75 per square foot, it would total about \$19,000 per unit.

Commissioner Moore asked if there is a consensus on the part of the Commission to accept the \$250,000 being offered by the Applicant since the impact fee study is not yet completed. Mayor Naugle felt this is a modest figure.

Marc LaFerrier, Director of Planning and Zoning, said that 184 of the units were previously approved by the Commission, and therefore, there are only 100 new units.

Mr. Lochrie further said that the City's ordinance only requires payment of park impact fees only at platting, and therefore, the Applicant is not required to pay in this case, but is willing to do so.

Commissioner Trantalis calculated that would total \$1,900,000. Mayor Naugle said that is what it would cost the taxpayers to provide such parks.

**Motion** made by Commissioner Moore to accept the Applicant's offer of \$250,000 in park impact fees.

Commissioner Trantalis asked what standard is being used to arrive at such a figure.

Commissioner Moore said that since the study is not yet completed regarding the cost of park land, and since the Applicant is willing to make a gift, he felt it is adequate. The funds would be used for the citizens at large. The same would apply to Item Nos. R-7 and R-8 also.

Commissioner Trantalis seconded the motion.

Commissioner Trantalis said that, in regard to affordable housing, the price per unit is now increased by \$20,000. It is being suggested that the housing can be kept within the affordable range. How are all the concepts being reconciled.

Mayor Naugle suggested that a certain percentage of units, those that would be affordable, be exempt from the new rate and pay the old rate of \$760.

Commissioner Moore asked if the Applicant is willing to have 15% of the units at an attainable price range.

Mr. Lochrie said the Applicant is willing to have 10% of the units at an attainable price range, along with a \$350,000 contribution to the City's affordable housing fund, plus the \$250,000 contribution toward the City park.

Mayor Naugle asked what is the attainable price. Mr. Lochrie said he has not yet figured that out.

Commissioner Moore said there is no ordinance in place, and therefore it is not wrong to make a deal.

Mr. Lochrie said this Applicant has been in the community for a long time and the subject park is very dear to his heart, and he has consistently said it is appropriate to make a contribution to the park. He has also been dedicated to the quest for attainable and affordable housing. There are two elements to be considered. One is to provide units and have a portion of them attainable. Other factors have to be considered, such as increases in construction and land costs, along with additional impact fees which all work against this. The City also identified the need for a study to be done to deal with attainable and affordable housing. This gift is to make sure such a study is conducted.

Commissioner Moore was concerned that they are trying to write an attainable housing ordinance, and until that time a developer does not have to comply with any such request. There is not to be a pool of money so developers can buy their way out. Instead, he wants a portion of the development to comply with 10% or 15% of units set aside for attainable housing. In discussing projects with developers, he normally asks for at least 15% of the units to be attainable or a less percentage with monies contributed to the trust fund. In this case, there is the park scenario to be considered. This developer is making contributions to both accounts. This should be kept fluid until there is an ordinance in place.

The motion was restated as follows:

**Motion** made by Commissioner Moore that the Applicant is to build 10% of the units as attainable units, \$350,000 is to be contributed to the attainable housing trust, and \$250,000 contributed to the park impact fee fund.

Commissioner Trantalis asked how the Commission is going to calculate contributions for the next two items. Mayor Naugle said he has calculated it on the parks. Commissioner Moore wanted to see what the developer is going to offer. Commissioner Trantalis said he wants rationale and predictability and does not want decisions made helter-skelter. Mayor Naugle said the Commission should not be in this position; one year ago they were told such a study was to be conducted. Commissioner Trantalis said they were to create the ordinance, not the developer, and now things are being sprung on the developers at the last minute.

Mayor Naugle said the Applicant already paid for the park in regard to the 184 units. There are now 100 new units which would figure \$2,500 per unit at the \$250,000 contribution. The next project consists of 418 units and would total \$1,045,000.

Commissioner Moore said that it is not appropriate; the Commission can only vote on one issue at a time.

Commissioner Hutchinson said there is no rationale that could be used on the next two items on the agenda. She supports the projects, but is uncomfortable with throwing out numbers. There is no study and it is not being done professionally. Voluntary offers are good, but there is nothing on which to base an amount.

Mayor Naugle said that these matters could be tabled until the study is completed. Commissioner Hutchinson felt that is not fair to the developers.



Mr. Lochrie said Mr. Feldman, Applicant, is not comfortable with the concept of a per unit price; he believes in the park and promised the contribution.

Commissioner Moore said there is no indication what the next developer will offer. If there needs to be a similarity in numbers, then that can be addressed at that time.

Vice Mayor Teel said the Applicant has agreed to meet the City's terms in regard to the study and what contribution is to be made for the park. Mr. Lochrie concurred and said the contribution would not be less than \$250,000. Vice Mayor Teel said the study has not yet been completed, and therefore, figures are not available. She asked when the study is due to be completed.

Mr. LaFerrier said his department is not running this project; the study is being done by the Parks and Recreation Department. It was his understanding that an individual was hired, but was not completing tasks and was terminated. Now, the Parks and Recreation Department is in the process of hiring someone else to complete the study.

Phil Thornburg, Director of Parks and Recreation, said the new specifications are being put together, and it will probably take another six months to complete.

Vice Mayor Teel said that within a year the determination will be provided and voted on, and then the developers will know their responsibilities. The first offer made by the Applicant makes sense, is consistent, and appears to be fair to everyone.

Commissioner Trantalis said it is inappropriate for the Commission to be assessing fees for attainable housing or parks without an established standard. It is inappropriate to require developers to provide an answer this evening. The Mayor has arrived at an approach to assess new units of \$2,500 per unit, based on the \$250,000 offer and 100 units involved. After the study is done, the units will have already been allocated and the point will be moot. If a decision is to be made at \$2,500 per newly platted unit, then he will vote on that and it will impact all proposals made tonight, but he felt it is not unreasonable. Based on the price of land for the area, it is close to the cost of land for parks. If the motion is \$2,500 per newly allocated unit, he will agree to it, plus the \$350,000 contribution to the attainable housing fund.

Commissioner Moore said that is not the motion. Everyone is trying to do the right thing. He would not support the Vice Mayor's recommendation because they need to purchase the park land now. He differed with the Mayor's assessment of \$2,500 per unit for park land because he felt it is not appropriate, especially in looking at the money going into the trust for the attainable units. There is three times more money going for parks, than into the attainable housing fund. He did not want to make the per unit distinction. The City does not have the study; whatever is volunteered to the City is a win. The City gets to buy the property immediately; a certain amount going into the trust immediately and the developer knows the expense immediately. Once the ordinance is accepted, then everyone will know the assessed costs. He asked what is the cost for the site of the park on 3<sup>rd</sup>. Mayor Naugle said it is \$75 per square foot; asking price for the additional property is higher.

Mr. Thornburg said the CRA has been involved in the purchasing of the site. He did not know the amount, but would check on it for the Commission.

Commissioner Hutchinson asked about the affordable housing study.

Mr. LaFerrier said today is the closing date for the RFP; 5 responses have been received. The Evaluation Committee will be scheduled to meet. He hoped to begin the study by August, and believed it to be a 3-6 month project.

Mayor Naugle said the \$2,500 per unit park fee is better than what the City is presently getting which is \$760 per unit. The full cost for acquiring the 3 acres would total \$19,000 per unit.

Commissioner Trantalis said, based on the offer and the Mayor's calculation, he would support that figure and use it as a standard in judging the next two items on tonight's agenda.

Commissioner Moore believed the Mayor has made it as if it is the Applicant's obligation to provide the park land, and it is not. It is the City's goal per 1,000 residents to provide a certain acreage of green space. Just like attainable housing, it is a shared responsibility. In discussing the cost of park land, the City will write grants from the State for which the County has \$400 Million for green space, and the fact that developers also contribute. The developers should not bear the full burden.

Commissioner Hutchinson supported the project, but not this approach. She indicated support in the One Stop Shop site for park land and in other parts of the City, but was concerned there is no basis for the figures this evening.

Commissioner Moore restated the motion as follows:

**Motion** made by Commissioner Moore and seconded by Commissioner Trantalis that flex units be used in this allocation, \$250,000 be contributed for park land, \$350,000 contributed to the attainable housing trust, and 10% of the development for attainable housing.

Roll call showed: YEAS: Commissioners Trantalis and Moore, and Vice Mayor Teel.  
NAYS: Commissioner Hutchinson and Mayor Naugle.

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**Site Plan Level II Review – Minto Federal – Mixed Use**  
**Allocation of Post 2003 Dwelling Units –**  
**Downtown RAC-CC – 26-R-05**

**(R-7)**

**ALL INDIVIDUALS WISHING TO SPEAK ON THIS MATTER WERE SWORN IN.**

Mayor Naugle said this project consists of 418 units. The previous applicant made a voluntary contribution of \$1,232 per unit for the attainable housing trust, and \$2,500 per unit for park land. He said if this applicant made such a contribution, it would then be consistent with the contribution previously made.

Robert Lochrie, representing the Applicant, said this parcel is located on Federal Highway, south of Sixth Street, within the City's RAC-CC zoning district and Regional Activity Land Use category, one of the most intense areas, although this development will not be the most intensive. The project site is over 5 acres and platting will be done and the park impact fee will apply. The developer is planning four, four-story buildings

set back from the street about 30' and separated from one another by about 30'. In the center there is a setback of about 100' creating an open plaza. The ground floor is retail with three floors of residential above. To the west a street that does not exist has been created. This block was brought together through previous Commission action, when the street that historically went through this project was vacated. The developer is bringing the street back, which will line up with streets to the north and south. There is parking in the middle of the seven-story residential building, and the entire outside of the building is lined with residential units. There are two taller buildings located about 400' apart from each other, consisting of 14 stories, and 160' set back from Federal Highway. They are actually located 600' from residential neighboring properties to the east.

Mr. Lochrie said the buildings are designed to meet all codes and the City's Consolidated Master Plan. One example is that the master plan called for access to the garage be from a minor street. A street is being created in order to access the garage, and one cannot look straight into the garages from any street. The project provides consolidated open space areas in public courtyards and plazas. It is about 78 units per acre.

Leigh Kerr, Land Planning Consultant, said he is familiar with the City's ULDR and Consolidated Master Plan, is a member of the American Institute of Certified Planners and immediate past President of the Florida Planning and Zoning Association, and served on the steering committee for the Consolidated Master Plan. He has reviewed the site plan for this project; all codes and guidelines were met and no waivers, variances or setbacks are being requested.

Mr. Lochrie indicated that park impact fees would be paid in the range of \$200,000 to \$250,000. If the City determines to change the Code and require additional impact fees, those fees would be paid. Further, 15% of the units would be attainable units at less than \$300,000. Mayor Naugle asked how the \$300,000 figure was arrived at. With respect parks, Mr. Lochrie said in looking at the County's calculation, every residence requires 3/1000 of an acre. Taking the number of units requested x number of occupants generated per unit, x .003 x the factor the City uses to determine the impact fee. It is about \$140,000 per acre. With respect to attainable housing, he did not know who arrived at the \$300,000 figure.

Commissioner Moore said that Broward County utilizes the attainable housing average in the county as \$280,000 to \$325,000. It is a general amount until the study is completed. At this time they are proposing to use the County's range.

Mayor Naugle said the City's park impact fee assessed on platting is \$760 per unit, and the Applicant is obligated to pay that amount, in comparison with the previous Applicant who paid \$2,500 per unit. Mr. Lochrie said at \$760 per unit, it would total \$317,680.

Commissioner Moore asked if the Applicant would be agreeable to \$317,000. Mr. Lochrie advised yes.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson for the Applicant to set aside 15% of the units for attainable housing, the flex units be used in this allocation, and a minimum of \$317,000 be contributed for park impact fees.

Commissioner Trantalis understood the motion is to accept the impact fee as it currently is required by law, and no requirement is being made of the Applicant to pay anything in addition. He did not understand the inconsistency being applied in regard to the previous development.

Commissioner Moore said the applicant is willing to pay the minimum of \$317,000, and if a new ordinance is adopted, they will pay the additional amount required. Mr. Lochrie confirmed that is correct; as it is a case of fairness in paying what everyone would be required to pay.

Mayor Naugle said the previous applicant contributed \$1,232 per unit towards attainable housing.

Mr. Lochrie said the Applicant would contribute \$2,500 per unit.

Commissioner Moore said he is withdrawing his previous motion and making the following motion:

**Motion** made by Commissioner Moore and seconded by Commissioner Trantalis for the Applicant to set aside 15% of the units for attainable housing, that \$2,500 per unit would be paid in park impact fees, and the flex units be used in this allocation.

Commissioner Moore thought this is a beautiful development.

Commissioner Trantalis said in the previous development there were two dissenting votes. He wanted to know what could be done to obtain a unanimous vote.

Mayor Naugle calculated what it would cost to construct the parks to represent the residents that this development is adding and it totals \$19,000 per unit. Recently the City has been successful in getting other contributors with respect to park land acquisition. Grants have also been received. He is willing to go one-third of the cost which is \$6,534 per unit, but discounting the figure further would put the burden on the taxpayers. He said the figures are based on past appraisals and negotiations.

Commissioner Moore said in looking at this development, there are a number of recreational facilities on top of the garage, and open green space. The developer is offering a lot.

Mayor Naugle asked if a contribution is being made to the affordable housing fund. Commissioner Moore said 15% of the units are to be set aside for attainable housing.

Commissioner Hutchinson said she likes the development and it is going to be an asset to the City, but she did not like the way they are doing business. She wanted concrete studies for assessing monies. This evening is going to set a precedent for future developments. She was not comfortable with how figures are being calculated. She is not going to support this motion.

Vice Mayor Teel said this is a beautiful project and no waivers or special requests are being made. The City's lack of having a sensible ordinance in place is their own fault, not the developer.

Roll call showed: YEAS: Commissioners Trantalis and Moore, and Vice Mayor Teel.  
NAYS: Commissioner Hutchinson and Mayor Naugle.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-109

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PLAN INCLUDING ALLOCATION OF POST 2003 DWELLING UNITS TO DEVELOP A MIXED USE DEVELOPMENT LOCATED ON FEDERAL HIGHWAY BETWEEN N.E. 5<sup>TH</sup> AND N.E. 6<sup>TH</sup> STREET, FORT LAUDERDALE, FLORIDA IN A RAC-CC ZONING DISTRICT.

Which resolution was read by title only.

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**Site Plan Level II Review – Village View – Mixed Use  
Allocation of 48 Post 2003 Dwelling Units – 58-R-05**

**(R-8)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-110

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PLAN INCLUDING ALLOCATION OF POST 2003 DWELLING UNITS TO DEVELOP A SIX-STORY CONDOMINIUM PROJECT WITH RESIDENTIAL UNITS AND OFFICE SPACE LOCATED AT 427 N.E. 1<sup>ST</sup> AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-UV ZONING DISTRICT.

Which resolution was read by title only.

Sam Poole of Berger Singerman, representing the Applicant, said this is a small project. It is consistent with the Zoning Code and Comprehensive Plan. The Applicant will meet the 15% attainable housing contribution. They are not obligated to pay park impact fees since they are not replatting. They will pay the \$2,500 per unit. There are a net 44 units in this case; 6 of those units are live/work units.

**Motion** made by Commissioner Moore and seconded by Commissioner Trantalis for the Applicant to set aside 15% of the units for attainable housing, the flex units be used in this allocation, and a park contribution of \$2,500 per unit be made.

Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Vacate Utility Easement – 623 SW 12 Avenue  
Bentley at Riverside Park, LLC – 4-M-05**

**(R-9)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-111

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE NORTH 16 FEET OF THE EAST HALF OF THE UTILITY EASEMENT RETAINED OVER THE VACATED RIGHT-OF-WAY OF SOUTHWEST 7<sup>TH</sup> STREET, BY ORDINANCE NO. C-89-125, RECORDED IN OFFICIAL RECORD BOOK 17411, PAGE 616, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN SOUTHWEST 12<sup>TH</sup> AVENUE AND SOUTHWEST 13<sup>TH</sup> AVENUE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Vacate Utility Easement – 3301 South Andrews Avenue  
Sovereign Development Group – 3-M-05**

**(R-10)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-112

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THE 10 FOOT UTILITY EASEMENT ADJACENT TO THE WEST BOUNDARY OF PARCEL "A", ERGON WHIDDEN TWO PLAT." ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 173, PAGES 164 TO 167, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; LESS AND EXCEPT THE NORTHERLY 10 FEET AND ALSO LESS THE SOUTHEASTERLY 10 FEET; TOGETHER WITH THOSE PORTIONS OF THE 10 FOOT UTILITY EASEMENT ADJACENT TO THE NORTH LINE OF SAID PARCEL "A", UNDER THE EXISTING BUILDINGS ON SAID PARCEL "A", LOCATED ON THE SOUTH SIDE OF SOUTHWEST 33<sup>RD</sup> STREET BETWEEN ANDREWS AVENUE AND THE F.E.C. RAILROAD, LYING AND BEING IN THE CITY OF FORT LAURDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

**Naming New Park Land – Ann Herman Park  
Chula Vista Isles – 1716 SW 29 Avenue**

**(R-11)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-113

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROCLAIMING THAT THE NEWLY ACQUIRED PARK LAND AT 1716 SW 29<sup>TH</sup> AVENUE IN CHULA VISTA ISLES HEREINAFTER SHALL BE KNOWN AS "ANN HERMAN PARK."

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Maintenance of Landscape Improvements - (R-12)**  
**Davie Boulevard; Memorandum of Agreement –**  
**Florida Department of Transportation**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-114

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR CITY MAINTENANCE OF LANDSCAPING IMPROVEMENTS ALONG STATE ROAD 736 (DAVIE BOULEVARD) AT SW 8<sup>TH</sup> TERRACE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR SEVERABILITY.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Plat Approval – La Porcherie Sauvage – 8-P-05 (R-13)**  
**3381 Riverland Road**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-115

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS "LA PORCHERIE SAUVAGE."

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

**Plat Approval – Park View Lofts – 8-P-04 (R-14)**  
**1317 NE 7 Avenue**

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to defer this item until July 6, 2005 at 6:00 p.m.

Roll call showed: YEAS: Commissioners Trantalis, Moore, and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None. (Staff requested deferral)

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**Economic Incentive Package – Qualified Applicant (R-15)**  
**Iowa College Acquisition Corporation dba Kaplan University**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-116

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONDITIONALLY APPROVING IOWA COLLEGE ACQUISITION CORP AS A QUALIFIED APPLICANT FOR AN ECONOMIC INCENTIVE PACKAGE, VALUED AT \$200,000.00, SUBJECT TO THE CITY'S ADOPTION OF AN ECONOMIC DEVELOPMENT INCENTIVES PROGRAM.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

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**Advisory Board/Committee Appointments (OB)**

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Aviation Board	John Milledge Joseph Scerbo Cynthia Turner McDonald
Community Appearance Board	Ron Fairchild Tom O'Laughlin
Marine Advisory Board	Heather Keith

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 05-117

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel and Mayor Naugle. NAYS: None.



There being no other matters to come before the Commission, the meeting was adjourned at 7:40 P.M.

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Jim Naugle  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk